

Occupational Safety and Health Admin., Labor

§ 1952.212

through the issuance and posting of citations; a system of sanctions against employers for violations of standards; employer right of review and employee participation in review proceedings before the Commissioner with subsequent judicial review; and coverage of employees of the State and political subdivisions in a separate program supervised by the Commissioner in accordance with the requirements described in the North Carolina decision (38 FR 3041).

(c) Included in the plan is a statement of legal opinion that the law, which was supported by the Governor in accordance with the requirements of part 1902, meets the requirements of the Occupational Safety and Health Act of 1970 and is consistent with the Constitution and laws of Maryland. The plan sets out goals and provides a timetable for bringing it into full conformity with part 1902 at the end of three years after the commencement of operations under the plan. Personnel will be employed under the existing State merit system with the revisions in qualifications as stated in supplements to the plan, and the voluntary compliance program for on-site consultation meets the conditions set forth in the issues discussed in the Washington decision (38 FR 2421).

(d) The plan includes the following documents as of the date of approval.

(1) The plan document in two volumes.

(2) Maryland Occupational Safety and Health Act of 1973, effective July 1, 1973.

(3) "A Program for Control of Occupational Health Hazards in Maryland" by Johns Hopkins University Department of Environmental Medicine.

(4) Letters from the Division of Labor and Industry dated February 9, 1973; March 6, 1973; March 22, 1973; May 2, 1973 and May 21, 1973.

(5) Maryland's Administrative Procedure Act Article 41 sections 244 *et seq.*

[38 FR 17837, July 5, 1973, as amended at 50 FR 29219, July 18, 1985]

§ 1952.211 Developmental schedule.

(a) Occupational health study accepted and implementation begun July, 1973;

(b) Compliance Manual developed by July, 1973;

(c) Management Information System, December, 1975;

(d) Training in compliance procedures by August, 1973;

(e) Promulgation of standard-setting procedures, August, 1973;

(f) Inspection and enforcement program, except as provided in paragraph (k), in September, 1973;

(g) Staff of hearing examiners and review procedures set up in September, 1973;

(h) Variance procedures and emergency temporary standard-setting procedures promulgated October, 1973;

(i) Review of appeal procedures to see if it should be continued or modified, July, 1974;

(j) Review of job qualifications within one year of plan approval;

(k) Inspection and enforcement of agriculture standards by December, 1974;

(l) Fully operational occupational health program, July, 1975;

(m) Fully implemented public employees program, December, 1975;

[38 FR 17837, July 5, 1973, as amended at 41 FR 45564, Oct. 15, 1976. Redesignated at 50 FR 29219, July 18, 1985]

§ 1952.212 Completion of developmental steps and certification.

(a) In accordance with § 1953.4, the Maryland occupational safety and health standards were approved by the Assistant Regional Director on October 3, 1974.

(b) In accordance with the requirements of 29 CFR 1952.10, the Maryland State poster was approved by the Assistant Secretary on June 6, 1975.

(c) In accordance with the commitment expressed in § 1952.213(l), the State of Maryland developed and implemented an occupational health plan by December 31, 1975.

(d) In accordance with the commitment expressed in § 1952.213(n), the designee developed a fully operational Management Information System by May 1, 1975.

(e) In accordance with 29 CFR 1952.213(d), training of Maryland compliance personnel in compliance procedure was completed by December 31, 1975.